CITY OF PORTLAND, OREGON

Bureau of Police
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CONFIDENTIAL MEMORANDUM

January 13, 2020

RECEIVED 1/13/20 JB

To: Captain Cliff Bacigalupi
Internal Affairs

From: Commander Jeffrey Bell JB
Detectives Division

Subject: RU Manager's Review and Findings
IA Case # 2019-B-0025

Date and Time of Occurrence
Various times and dates between 2017 and 2019

Location of Occurrence
Detectives Division

Complainant
Portland Police Bureau

Involved Members
[redacted]

Witness Members
[redacted]

[redacted]

Civilian Witnesses

[redacted]

Proposed Finding

This case was sent to me at Detectives Division on or about January 3, 2020, for the purpose of completing findings for the allegations. I have reviewed the enclosed investigation, associated documentation, statements made by the subject officer and witnesses, all available evidence, and the investigator's recommended findings. In proposing these findings I have reviewed the Portland Police Bureau directives that were in effect at the time of the incident to determine if there has been a violation of policy or procedure.

Allegation Findings:

Allegation 1 – [redacted] *failed to work her designated hours and left her assignment for excessive periods of time. (CONDUCT) (Directive 315.30 - Satisfactory Performance)*

Findings: Not Sustained

I concur with the recommended finding of **Not Sustained**. [redacted] coworkers perceived her time away from the office as not related to work; however both [redacted] and her supervisors were able to explain why she was gone so frequently and it was all work-related.

Allegation 2 – [redacted] *failed to ensure that SAKI Grant Funds were accurately/appropriately applied to the correct payroll expenses. (CONDUCT) (Directive 315.30 - Satisfactory Performance)*

Findings: Not Sustained

I concur with the recommended finding of **Not Sustained**. [redacted] understood that the employee had been taken off the grant, and spoke with [redacted] regarding the personnel issues. I do not believe [redacted] had any further obligations in this regard.

Allegation 3 – [redacted] *failed to ensure that SAKI Grant Funds were accurately/appropriately applied to the correct payroll expenses. (CONDUCT) (Directive 315.30 - Satisfactory Performance)*

Findings: Not Sustained

I concur with the recommended finding of **Not Sustained**. [redacted] understood from [redacted] that the personnel issues in the Detective Division had been addressed by [redacted] Additionally, he directed that the questionable timekeeping was not submitted for reimbursement from the grant.

Allegation 4 – [redacted] *conducted personal business while on duty when she was assigned to work on SAKI related tasks. (CONDUCT) (Directive 315.30 - Satisfactory Performance)*

Findings: Sustained

I concur with the recommended finding of **Sustained**. [redacted] admitted to working on schoolwork while she was being paid under a federal grant for doing work related to SAKI. By all accounts, she was counselled about this issue. Beyond this incident, there is insufficient evidence to make a determination if these actions continued. Although co-workers observed [redacted] doing schoolwork at her desk, there is evidence that she did this schoolwork at her desk because it was a quiet place and that she did not submit that time to her supervisors for the UDAR. There is also insufficient evidence regarding the gaps of time in her use of the SAMS system. While on the surface, it appears that she was not doing any work for hours at a time, there is also evidence to suggest she had a number of other duties which were not captured in the SAMS logs.

Allegation 5 – [redacted] *failed to ensure UDAR's accurately reflected members time working on SAKI grant related tasks. (PROCEDURE) (Directive 0210.30 – Timekeeping including overtime)*

Findings: Not Sustained with Debriefing

I concur with the recommended finding of **Not Sustained with Debriefing**. Although I have issues with the way the time was accounted for by the advocates (adjusted schedules that were not reflected on the UDARs), there is sufficient evidence in the record to indicate that this practice was approved by management. I also believe that this is a common practice among supervisors all over the bureau. Additionally, I do not believe that the UDAR alone is sufficient to track employee's work when their salary is only partially grant funded. [redacted] had some suggestions in this regard, and it seems they were not heeded. A debriefing will address these issues with [redacted] and make sure that she understands her role in timekeeping as a supervisor.

Allegation 6 – [redacted] *failed to accurately report quarterly reports about the use of the SAKI grant. (PROCEDURE) (Directive 0315.30 – Satisfactory Performance)*

Findings: Exonerated

I concur with the recommended finding of **Exonerated**. [redacted] provided the quarterly reports as requested by [redacted]. Although [redacted] wanted to see more variation and detail in these reports, she stated that the grant did not require statistics or other metrics in these particular reports.

Allegation 7 – [redacted] *failed to ensure UDAR's accurately reflected members time working on SAKI grant related tasks. (PROCEDURE) (Directive 0210.30 – Timekeeping including overtime)*

Findings: Not Sustained with Debriefing

I concur with the recommended finding of **Not Sustained with Debriefing**. Although I have issues with the way the time was accounted for by the advocates (adjusted schedules that were not reflected on the UDARs), there is sufficient evidence in the record to indicate that this practice was approved by management. I also believe that this is a common practice among supervisors all over the bureau. Additionally, I do not believe that the UDAR alone is sufficient to track employee's work when their salary is only partially grant funded. [redacted] had some suggestions in this regard, and it seems they were not heeded. A debriefing will address these issues with [redacted] and make sure that he understands his role in timekeeping as a supervisor.

Comments / Recommendations

This case was complex and contained a great deal of information. Although I don't believe there was evidence of additional misconduct, I did find several items of note that I will be addressing with the Sex Crimes unit.

First of all, the supervisors in the unit will have a clear expectation of how to track their folks' time on the UDAR. Although it has long been a practice of the Bureau, hourly employees cannot just be allowed to bank extra time to use later. If they work more than their full shift, it is overtime, and if they don't work their full scheduled shift, they need to take leave to account for the missing time. The flexibility of scheduling is important given the work the advocates do, so we will brainstorm with Personnel how to best accomplish this.

Secondly, there will be better communication within the unit from supervisors. There appears to have been a lot of confusion about what everyone's role was, and I believe this lead to a number

of spurious accusations of people not doing their job. Clearer communication from the supervisors may have prevented this. The supervisors have already reinstituted a more regular group meeting, which I think will help.

Third, supervisors will make their expectations clear to each individual employee what their job duties entail. It is clear from the investigation that many of the employees, especially the [redacted] were not clear on what they were supposed to be doing.

Lastly, we will seek assistance from Fiscal on grant funded employees. We will make sure the supervisors know how to accurately track their time, and make sure everyone is clear about what is and what is not appropriate activity under the grant.